

U. S. CODE CONG. AND ADMIN. NEWS

(Pages 2291 & 2292)

Public Buildings Act of 1959

PURPOSE OF THE BILL

The primary purpose of S. 1654, as amended, is to modernize, clarify its good features, and encompass in one act the provisions of existing law vesting in the Administrator of General Services authority and responsibility for acquiring, constructing, altering, repairing, remodeling, improving or extending public buildings and acquiring the necessary sites or additions to sites in connection therewith. In addition, the bill provides new authority needed by the Administrator of General Services to carry out his responsibilities in an economical and efficient manner consistent with current requirements under modern techniques and practices.

The fundamental purpose of the enactment of the Federal Property and Administrative Services Act of 1949 was to centralize in a single Government agency responsibility for the housekeeping functions of the executive branch and the care and provision of its general-purpose office, storage and related space requirements. Section 103 of that act transferred to General Services Administration all of the functions theretofore vested in the Public Buildings Administration and its predecessor agencies by the act of May 25, 1926, and related acts, for the construction, repair, alteration, improvement, extension, remodeling, etc., of public buildings.

The Commission on Organization of the Executive Branch of the Government (the Hoover Commission) in its report to the Congress in June 1955 on real property management recognized that present laws touch on the subject of real property management, including public buildings acquisitions and construction, but that no fundamental concept in this area has been developed; and that, although the Administrator of General Services appears to have far-reaching responsibilities in this connection, his authority to accomplish those responsibilities was unclear and diffused.

Enactment of S.1654 would carry out the action which the Hoover Commission found necessary. It would facilitate the construction, at the least possible cost, of public buildings in communities throughout the Nation where an urgent need has been apparent for some years and as developed by studies of the Federal space requirements in such communities.

In recent years, authorizations for the construction of public buildings of the classes and types which were clearly the responsibility of the Administrator of General Services or his predecessors in function have been granted by the various committees of the Congress to the various agencies over whose programs these committees exercise jurisdiction. As a result,

the need for the construction of those buildings was never considered nor approved by the Public Works Committees. As a further result, no orderly or systematic approach to the provision of general-purpose public buildings has been followed by the Congress. Enactment of S.1654 would correct this problem and return to the jurisdiction of this committee responsibility for authorizing general-purpose and related classes of public buildings required to accommodate the various activities of the Government. Since special-purpose facilities closely related to the program activities of the various departments and agencies are not encompassed by the bill, its enactment would, in no sense, interfere with or impair the jurisdiction of other committees. The bill provides continuing and permanent authority for carrying out a program for the repair, remodeling, improving, and extending of public buildings of the classes under the control of the General Services Administration. In addition the bill authorizes the General Services Administration to enter into 20-year building leasing agreements instead of 10 years.

GENERAL STATEMENT

6th paragraph, page 2293

There is need for general authority for the orderly planning and construction of public buildings. S. 1654 provides continuing authority for carrying out a program for the repair, remodeling, improvement, and new construction of public buildings of the classes under the control of the GSA. Special-purpose facilities closely related to activities of the various departments and agencies of the Federal Government are not encompassed by the bill.

SECTION-BY-SECTION EXPLANATION OF S.1654

Section 13, page 2298

This section defines seven terms which are used throughout the bill in order to insure that they will have the same meaning throughout the bill. One of the most important of the defined terms is that of "public buildings." The definition of this term is substantially that which the Congress has established in the Public Buildings Act of 1926 and in the various acts which amend it and which supplement it. The definition is explicit in stating those buildings which are included within the scope of the bill, as well as those which are excluded. It is limited to those types and classes of buildings which historically have been the responsibility of the Administrator and his predecessors in function. Further, flexibility in coverage is allowed by permitting the President to include or exclude buildings or construction projects which he deems to be justified in the public interest except that he may not bring a specifically excluded type of building under the law.